

U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371		Attorney's Docket Number <b>REF/Guss/405</b>
		U.S. Application Number <b>09/147,405</b>
International Application Number <b>PCT/SE97/01091</b>	International Filing Date <b>18 June 1997</b>	Priority Date Claimed <b>20 June 1996</b>
Title of Invention <b>New Fibrinogen Binding Protein Originating From Coagulase-Negative Staphylococcus</b>		
Applicant(s) for DO/EO/US <b>Bengt GUSS et al.</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:

1. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
2. ☒ An oath or declaration of the inventor(s) (35 USC 371(c)(4)). (☒ Executed ☐ Unexecuted)
3. ☒ A copy of Form PCT/DO/EO/905 dated: March 5, 1999.
4. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
5. ☐ An assignment document for recording.  
A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
6. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
7. ☐ A substitute specification.
8. ☐ A change of power of attorney and/or address letter.
9. ☐ A Verified Statement Claiming Small Entity Status.
10. ☐ A Request for Refund.
11. ☐ Surcharge in the amount of \$ 130.00.
12. ☐ Assignment recordation fee of \$       .
13. ☐ Processing fee of \$        for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

A check in the amount of \$ 130.00 to cover the fees is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is enclosed.

04/06/1999 DUPLICATE OF 80600070 09/147405

01 FC:154 130.00 DP

Respectfully submitted,  
BACON & THOMAS, PLLC

By:

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Date: March 29, 1999

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

GUSS et al.

Attention:

Serial No.: 09/147,405

PCT BOX MISSING PARTS

Filed: December 18, 1998

For: New Fibrinogen Binding Protein Originating From Coagulase-Negative Staphylococcus

**RESPONSE AND SUBMISSION OF MISSING PARTS OF APPLICATION**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This is in response to the Official Action dated March 5, 1999, in connection with the above-identified application. The period for response to the Official Action has been set to expire on April 5, 1999.

The Official Action acknowledges receipt of the application, but indicates that a Declaration in compliance with 37 C.F.R. §1.497(a) and (b) is required. Applicants submit herewith a properly and fully executed Declaration which identifies the application by title, PCT international application number and inventors. A copy of form PCT/DO/EO/905 is submitted herewith along with the required \$130.00 surcharge.

It is believed that the application is now in condition for examination. Accordingly, Applicants most respectfully request that an Official Filing Receipt be issued and that the application be forwarded to the appropriate examining group for its examination in due course.

Respectfully submitted,  
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March 29, 1999



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

26 REC'D PCT/PTO 01 APR 1999

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/147405	GUSS	B
BACON & THOMAS 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314 1176		REF/GUSS/P33
INTERNATIONAL APPLICATION NO.		
PCT/SE97/01091		
I.A. FILING DATE	PRIORITY DATE	
18 JUN 97	20 JUN 96	
DATE MAILED: 05 MAR 1999		

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),

☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☒ Copy of Article 19 amendments.

☒ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 18 DEC 1998 and \_\_\_\_\_.

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

☐ PCT/DO/EO/917

☐ PTO-875

☐ Notice of Defective Translation

Paullette Kidwell, Paralegal

